

IN THE LEAD OR AMONG THE LAGGARDS? – CEE COUNTRIES AND WORK-LIFE BALANCE

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Abstract: The article provides a broad overview of how Central and Eastern European (CEE) countries are progressing in relation to work-life balance objectives and expectations. It examines recent developments on both legal and statistical grounds, focusing on employment rates of men and women, the gender pay gap, demographic shifts, and regional trends, including fertility rates and pronatalist policies that impact work-life balance. The article highlights that, while the implementation of the Work-Life Balance Directive (DWLB) was delayed in CEE countries, it ultimately aligns with the directive's legal requirements. Overall employment rates, particularly for women, are relatively high. However, a key concern is the low employment rate among young women and the limited availability of flexible work options. The article pinpoints that declining fertility rates pose a challenge, but the proportion of live births to mothers with tertiary education clearly increased from 2013 to 2023 offering a positive foundation for future educational policy planning. The article also argues that strengthening flexible work arrangements focused on young women could be one of the key areas of intervention for CEE countries.

Keywords: work-life balance, CEE countries, employment rate of women, total fertility rate, demographic and regional disparities

INTRODUCTION

I. TRANSPOSITION OF DIRECTIVE 2019/1158 IN CEE COUNTRIES

Directive 2019/1158 on work-life balance (hereinafter referred to as DWLB)¹ was adopted within the framework of the European Pillar of Social Rights and it focuses on four substantive rights, namely parental leave, paternity leave, carers' leave and the right to request flexible working arrangements for caring purposes (but no right to obtain it).² It aims at contributing to the achievement of gender equality by promoting the participation of women in the labour market, the equal sharing of caring responsibilities between men and women, and the closing of the gender gaps in earnings and pay, hence “at the European level, and before the outburst of the COVID-19 crisis, almost 9 out of 10 mothers in the EU provided daily care for their children, compared to some 6 out of 10 fathers.”³

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¹ Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU.

² D'ANDREA, Sabrina Implementing the work-life balance directive in times of COVID-19: new prospects for post-pandemic workplaces in the European Union? *ERA Forum*. 2022, No. 23, p. 14. DOI: In: *Springer Nature Link* [online]. [2025-05-01]. Available at: <<https://doi.org/10.1007/s12027-022-00703-y>>.

³ COFACE, EU Work-life Balance Directive transposition in action: A mixed picture, 2022, p. 25. In: *COFACE* [online]. [2025-05-08]. Available at: <<https://coface-eu.org/eu-work-life-balance-directive-transposition-in-action-a-mixed-picture/>>.

The DWLB represents “a continuation of the EU’s efforts in maintaining and expanding the rights of workers (and their families) regarding work-life balance”⁴ and “The main novelty of the Work-life balance Directive is the change of paradigm it represents: it acknowledges work-life balance not only as a problem concerning women or parents with young children, but as a problem that can and will affect most workers”.⁵ However, the Directive has structural limitations and the “Directive could have been used as a springboard to introduce a more progressive framework to address work-life balance issues”.⁶

Implementation of the DWLB has been a challenging process throughout the EU. It is noteworthy that 19 Member States – including the Visegrád countries – have not implemented the DWLB in due time.⁷ Hence, the European Union sent a letter of formal notice to them.⁸ National implementations were prepared and discussed in CEE countries,⁹ they implemented the DWLB during 2023, and Austria was the final Member State to implement the directive, with an effective date of November 1, 2023.

Parental leave as a legal concept was already established in EU law prior to Directive 2019/1158/EU.¹⁰ Directive 2010/18/EU outlined a four-month leave period for both parents, with one month designated as non-transferable. The duration of parental leave in EU countries (except BE, EL, HR, CY) already went beyond the EU minimum requirements.¹¹ The DWLB introduced two significant changes: an increase in the minimum number of non-transferable months from one to two, and the requirement for parents to receive some form of benefit or compensation for these two non-transferable months, a departure from previous regulations. However, the directive delegates to Member States the authority to determine the amount and method of such compensation.¹²

The period during which parental leave can be taken is varied. Half of Member States grant a relatively shorter period of 3 years, including CEE countries (CZ, HU, RO and

⁴ ANDREI, D. M. Legislative Updates and Cross-national Comparisons of Work-Life Balance in the EU. *Internal Auditing & Risk Management*. 2024, Vol. 1, p. 24.

⁵ D'ANDREA, Sabrina *Implementing the work-life balance directive in times of COVID-19: new prospects for post-pandemic workplaces in the European Union?* p. 14.

⁶ DI TORELLA, E. C. One more step along the way: the 2019 Work Life Balance Directive. *Revue de droit comparé du travail et de la sécurité sociale*. 2020, Vol. 4, p. 74.

⁷ EU Member States had until 2 August 2022 to implement the DWBL. For implementation status see – in: *Ius Laboris* [online]. [2025-05-08]. Available at: <<https://iuslaboris.com/insights/implementing-the-work-life-balance-directive-across-europe/>>.

⁸ The Commission initiated infringement procedure against 19 Member States altogether: Belgium, Czech Republic, Denmark, Germany, Ireland, Greece, Spain, France, Croatia, Cyprus, Latvia, Luxembourg, Hungary, Austria, Poland, Portugal, Romania, Slovenia and Slovakia.

⁹ OLEJNICZAK, D. Zakres zmian prawa polskiego mających na celu implementację dyrektywy Parlamentu Europejskiego i Rady (UE) 2019/1158 w sprawie równowagi między życiem zawodowym a prywatnym rodziców i opiekunów. [Scope of amendments to Polish law to implement the Directive (EU) 2019/1158 of the European Parliament and of the Council on Work-life Balance for Parents and carers]. *Zeszyty Prawnicze BAS*. 2021, Vol. 2, pp. 184–190.

¹⁰ Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC which was repealed by the DWLB.

¹¹ DE LA CORTE-RODRÍGUEZ, M. *The transposition of the Work-Life Balance Directive in EU Member States: A long way ahead*. Brussels: European Commission, 2022, p. 71.

¹² DE LA CORTE-RODRÍGUEZ, M. *The transposition of the Work-Life Balance Directive in EU Member States: A long way ahead*. p. 8.

SK) while more than three years are granted in 15 Member States, including Poland (6 years).¹³ Parental leave is compensated in 26 EU countries (except Cyprus) in the form of an allowance provided by the state, and in 12 of them the allowance is provided for the whole period of parental leave, including CZ, HR, HU, RO, SE, SI and SK.¹⁴ In Poland only part of parental leave is paid. The percentages of income replacement go from 60 % to 100 % in PL, RO, SI and SK, which can be seen as adequate, with an upper ceiling of 650 EUR in Hungary.¹⁵ Moreover, in CZ, HU and SK it is possible to work while being on fulltime parental leave and receiving the full parental allowance (in CZ only if the child is in care for no more than 92 hours per month and in HU only after the child has reached the age of 6 months old). In PL, RO, SI and CR no such opportunity exists.

Prior to the DWLB, only 17 out of 27 Member States had a minimum of 2 weeks paternity leave, which meant that at least 10 Member States had to introduce or extend paternity leave for workers, moreover 14 Member States had to provide for or increase payment of paternity leave.¹⁶ Germany, Croatia and Slovakia had to introduce paid paternity leave for the first time, and the length of paid paternity leave had to be doubled in 13 Member States, the only CEE country however being Poland (hence Bulgaria, the Czech Republic, Hungary, Slovenia, Romania already provided the necessary length of paternity leave).¹⁷

The legal concept of flexible working conditions was already enshrined in EU law before the DWLB came into effect, including the right to request changes to working hours and/or patterns when returning from parental leave and the right to request a transfer from full-time to part-time work.¹⁸ These were relative rights (the employer can refuse the worker's request) and the DWLB has regrettably not changed that. Prior to the DWLB an absolute right (the employer cannot refuse the worker's request) existed in only three countries (AT, HU and SI).¹⁹ In Hungary, the parent can request part-time work which is regarded as 'half-time' work, no options for 2 or 6 hours per day are provided.²⁰ In SI the employer covers the salary of the worker based on actual working hours while the Slovenian state assumes the responsibility to ensure full social security coverage based on the minimum wage.²¹ Flexible working arrangements is the part of the DWLB that did not change much of the existing situation which is interesting because flexible working arrangements do not require any direct additional cost to public budgets in Member States. The implementation represented an occasion for Member States to introduce changes in their legal system, but they have largely not, in spite of the experiences of COVID, this re-

¹³ Ibid., p. 73.

¹⁴ Ibid., p. 85.

¹⁵ Ibid., p. 88.

¹⁶ ETUC, Toolkit on the implementation and transposition of the Work Life Balance Directive, 2019. In: *ETUC* [online]. [2025-05-08]. Available at: <<https://www.etuc.org/sites/default/files/publication/file/2019-12/744-Etuc-Short-EN-web.pdf>>.

¹⁷ Ibid., pp. 28–29.

¹⁸ Clause 6(1) of Directive 2010/18 and Framework Agreement on part-time work annexed to Directive 97/81.

¹⁹ DE LA CORTE-RODRÍGUEZ, M. *The transposition of the Work-Life Balance Directive in EU Member States: A long way ahead*. p. 113.

²⁰ Section 61(3) of Act I of 2012 on Labour Code (Hungary): "The employer is obliged, at the employee's request, to modify the employment contract to part-time work of half the normal full-time working hours up to the age of four years of the child, or up to the age of six years in case of an employee with three or more children."

²¹ ETUC, Rebalance – Trade unions' strategies and good practices to promote work-life balance, 2019, p. 58.

mains a task for the future.²² In this regard it seems essential to improve the provisions of the DWLB to reflect the changes brought in by the digital transition, especially for young parents and in jobs that require tertiary education.

Overall, paternity leave is generally well-established in CEE countries, but flexible working arrangements face significant challenges, despite their potential to significantly improve work-life balance if effectively implemented. The ongoing question is why the absolute right to request flexible work is neither enshrined in mandatory EU law nor adopted across EU member states. Member States maintain regulatory freedom, allowing them to determine the extent of flexibility in their labour markets. ‘Flexicurity’ can only succeed if labour and social laws provide adequate protection for workers.²³

II. WORK-LIFE BALANCE BEYOND THE DWLB, THE LABOUR MARKET SITUATION OF MOTHERS

The evolution of the societal status of employed mothers has undergone several phases in CEE countries. One of the most notable shifts in family policy occurred during the Communist era. Initially, driven by the imperative of economic revitalization and enforced industrialization, governments aimed to boost the workforce by encouraging more women to work outside their homes. Consequently, support such as maternity leave and benefits remained minimal. However, there was a sudden reversal as economic growth stalled and demographic challenges emerged. Starting from the 1970s, there was a notable expansion of benefits related to childbearing, accompanied by a growing trend of women being both empowered and encouraged to take paid parental leave.²⁴ It is sometimes marked that “*a dual-earner model dominates in the CEE; however, employment is weakly regulated and there are traditional gender roles in housework*”.²⁵

In the following the situation of the labour markets in CEE countries will be examined in light of total employment rate, employment rate of women, young women and also the gender pay gap, including the wage gap for mothers. The Ninth Report on Cohesion policy which has been published in April 2024 delivers exact information – among others – on the development of CEE countries’ employment rate.²⁶ There

²² See Table 9. DE LA CORTE-RODRÍGUEZ, M. *The transposition of the Work-Life Balance Directive in EU Member States: A long way ahead*. pp. 115–119.

²³ PICHRT, J. Current Challenges in Czech Labour and Social Security Law in Historical Context. In: Jan Pichrt – Kristina Koldinská (eds.). *Labour Law and Social Protection in a Globalized World, Changing Realities in Selected Areas of Law and Policy*. *Bulletin of Comparative Labour Relations* – 103. Prague: Wolters Kluwer, 2018, pp. 3–10.

²⁴ HUNGLER, Sára *Introduction to Social Justice, Welfare and EU Law: Measuring Integration in the Visegrád Countries*. Cheltenham: Edward Elgar, 2024, p. 73.

²⁵ BJÖRK-FANT, J. M., BOLANDER, P., FORSMAN, A. K. Work-life balance and work engagement across the European workforce: a comparative analysis of welfare states. *European Journal of Public Health*. 2023, Vol. 33, p. 431.

²⁶ EUROPEAN COMMISSION, Ninth report on economic, social and territorial cohesion, Publications Office of the European Union, 2024. In: *European Commission* [online]. [2025-05-08]. Available at: <https://ec.europa.eu/regional_policy/information-sources/cohesion-report_en>.

are two maps in the Ninth Report on Cohesion policy that deserve special attention. Map 4. on Employment rate (20-64) for 2022²⁷ illustrates that the employment rate is higher in CEE countries than the EU average, but the map on the categorisation of regions for Cohesion Policy (ERDF and ESF+) for the period of 2021-2027²⁸ shows that most of the CEE region belong to the less developed or transitional part of the EU. In CEE countries there is no correlation between the two which is interesting especially in light of the situation in Southern Europe which is hit by both being less developed and having low employment rate. Employment rate is crucial in maintaining a region's competitiveness and in realising its long-term perspectives. A more nuanced approach is enhanced by the data of the EUROSTAT. Below the employment and activity by sex and age in CEE states will be examined (Table 1.) followed by data on the wage gap for women and mothers in the EU (Table 2.).

Table 1. Employment and activity by sex and age in selected CEE countries (2014–2023)

Dataset:	Employment and activity by sex and age - annual data [lfsi_emp_a_custom_11352289]										
Data extracted on	14/05/2024 11:04:54 from [ESTAT]										
Unit of measure:	Percentage of total population (total employment (resident population concept - LFS))										
	Males/females (from 15 to 29 and 15 to 64 years)										
	TIME	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
		%	%	%	%	%	%	%	%	%	%
Total	Czechia	69,0	70,2	72,0	73,6	74,8	75,1	74,4	74,4	75,5	75,1
Women 15-64	Czechia	60,7	62,4	64,4	66,2	67,6	68,1	67,1	67,1	68,5	68,2
Women 15-29	Czechia	37,8	39,4	39,7	41,6	41,8	41,7	36,8	36,1	36,6	37,5
Men 15-29	Czechia	53,2	54,0	55,3	56,1	55,9	55,4	54,3	53,1	52,2	51,0
Total	Hungary	63,6	65,9	68,5	70,2	71,4	72,2	71,9	73,1	74,4	74,8
Women 15-64	Hungary	59,5	61,5	64,2	65,2	66,6	67,1	66,8	68,2	69,9	70,5
Women 15-29	Hungary	37,7	39,9	42,2	43,1	43,3	43,8	42,7	44,0	44,4	43,6
Men 15-29	Hungary	45,9	47,6	50,6	52,8	53,4	52,8	51,6	51,3	51,5	50,6
Total	Poland	60,2	61,6	63,5	65,3	66,6	67,8	68,0	70,4	71,5	72,4
Women 15-64	Poland	54,0	55,6	57,3	58,9	60,3	61,0	61,1	64,0	65,5	66,9
Women 15-29	Poland	38,1	39,1	41,2	42,3	43,9	44,7	41,7	42,8	43,2	44,1
Men 15-29	Poland	48,4	48,7	52,3	54,1	55,2	55,6	53,2	53,4	53,2	53,6
Total	Slovakia	62,7	64,5	66,7	68,1	69,5	70,4	69,5	69,4	71,3	72,0
Women 15-64	Slovakia	58,1	59,9	62,4	64,5	65,5	66,8	66,1	65,6	67,6	68,4
Women 15-29	Slovakia	34,7	37,3	38,1	39,5	40,5	38,9	36,4	35,5	37,5	38,0
Men 15-29	Slovakia	45,8	49,3	52,1	52,6	53,2	53,0	50,8	48,3	48,3	47,5
Total	Slovenia	63,4	64,7	65,3	68,7	70,6	71,3	70,1	71,4	73,1	72,5
Women 15-64	Slovenia	59,6	60,6	62,2	65,4	67,1	68,2	67,1	68,1	69,8	69,4
Women 15-29	Slovenia	37,8	41,2	41,3	46,5	47,5	46,8	43,1	41,7	44,0	43,9
Men 15-29	Slovenia	47,1	49,6	48,9	54,6	55,0	54,3	48,7	49,6	51,7	52,9

Source: EUROSTAT, extracted and composed by the authors (14. 5. 2024).

²⁷ Ibid., p. 12.
²⁸ Ibid., p. 21.

Table 1. is a compilation of total employment rate, employment rate of women and employment rate of young women in selected CEE countries based on Eurostat data. The data indicates that the overall employment rate, particularly for women, surpasses the EU average, a significant advantage for CEE countries. However, when focusing on young women (aged 15-29), their employment rate significantly trails that of young men, standing at around 40% compared to men's 50%. It is also remarkably lower than the rates observed in Northern European countries, which hover around 60%, with an exceptional 79% in the Netherlands, but admittedly it is higher than the average in Romania and Bulgaria (which is closer to 30%).²⁹ The 10% gap between the employment rate of young women and men gradually diminishes over time to 3-6% meaning that between the age of 29-64 more women enter the labour market in CEE countries. Why is that? Possibly women become mothers between the age of 15-29 and this might keep them away from the labour market. However, taking into account that mothers have their first child at an average age of 29,7 in the EU (a little less in CEE countries),³⁰ this might not be relevant for all young women. Approximately 40% of children are born from mothers aged 15-29 all over Europe suggesting that having children might not be the only reason for women to stay away from the labour market. Problematic is or will be in CEE countries on the long run if young women do not have a job, because for example *"In 2022, one of the reasons for fewer children being born in Poland was earnings and fear of job loss"*.³¹

Table 2. shows the data on the wage gap for women and mothers in the EU. The wage gap for mothers is considerably higher than the aggregated data for women (between 20-44% in EU Member States which is really high). Data is enlisted based on the wage gap for mothers only, Northern European countries perform best while CEE countries are more in the middle of the range, with a varied picture (Slovenia performs the best with 20,7 %).

²⁹ EUROSTAT, Data extracted on 13/05/2024 22:27:21 from [ESTAT] Dataset: Employment and activity by sex and age - annual data [lfsi_emp_a__custom_11346053], in 2023 DE:59,8 %, DK: 63,9 %,FI: 56,8%, IE: 58,7 %, NO: 68,1 %, SE: 56,9%, NL: 79,1%.

³⁰ Women in the European Union are having their first pregnancy at an increasingly later age. The average age at which a mother gives birth to her first child was 29.7 in the EU in 2021. In countries from Central and Eastern Europe, women decide to have their first pregnancy at an age below the EU average. The youngest mothers were women in Bulgaria - 26.5 years old. On the other hand, women in Slovenia and Croatia decided to become pregnant at 29 years of age. In: *STATISTA* [online]. [2025-05-08]. Available at: <<https://www.statista.com/statistics/1219423/cee-mean-age-of-women-at-birth-of-first-child/>>.

³¹ In: *STATISTA* [online]. [2025-05-08]. Available at: <<https://www.statista.com/statistics/1314446/poland-reasons-why-fewer-children-are-born/>>.

Table 2. Wage differences for women and mothers in the EU (2018)

Country	Aggregated wage gap	Wage gap for mothers	Difference
Austria	20,4	44,20	23,8
Netherlands	14,7	43,70	29,0
Italy	5,5	43,00	37,5
Germany	20,1	41,90	21,8
Greece	10,4	41,30	30,9
Czechia	20,1	36,00	15,9
Ireland	11,3	35,90	24,6
Spain	11,9	33,00	21,1
Estonia	21,8	31,10	9,3
Slovakia	19,8	30,60	10,8
Poland	8,5	30,30	21,8
France	16,7	29,60	12,9
Hungary	14,2	28,10	13,9
Romania	2,2	27,30	25,1
Belgium	5,8	26,40	20,6
Latvia	19,6	25,70	6,1
Croatia	11,4	25,50	14,1
Denmark	14,6	25,10	10,5
Bulgaria	13,9	24,20	10,3
Finland	16,9	24,50	7,6
Sweden	12,1	23,80	11,7
Luxembourg	1,4	23,20	21,8
Slovenia	9,3	20,70	11,4
Lithuania	14,0	20,40	6,4
Portugal	8,9	20,40	11,5

Source: OECD,³² Eurostat.³³

Overall, no direct explanation exists why the employment rate of young women is so low, but the high wage gap for mothers can be an indirect explanation. Economic instability or the fear of social exclusion can be so strong that it can even lead to planned or unplanned childlessness.³⁴ *Lipák et al* examined the employment of mothers with young children in Hungary and stated that “*employment was highest among those without children and*

³² OECD, Gender overall earnings gap, 2018.

³³ EUROSTAT, Gender pay gap in unadjusted form, 2018. In: *EUROSTAT* [online]. [2025-05-08]. Available at: <https://ec.europa.eu/eurostat/databrowser/view/sdg_05_20/default/table?lang=en>.

³⁴ RENSKE, V. *Understanding childlessness: Unravelling the link with genes and socio-environment. [Thesis fully internal (DIV), University of Groningen]*. Groningen: Rijksuniversiteit Groningen, p. 10: “the proportion of men and women who desire to remain childless is substantially lower than the proportion of men and women remaining childless”. In: *University of Groningen* [online]. [2025-08-05]. Available at: <https://pure.rug.nl/ws/portalfiles/portal/74056370/Chapter_1.pdf>.

fell as the number of children increased".³⁵ Employment was full time employment, and the research stressed the importance of flexible working arrangements in the initial period when children are young, in order to provide a bridge for mothers to maintain their economic independence. It is recalled that in Japan, the main reason for the decline in fertility is attributed to the traditional cultural model, in which women cease to work in marriage.³⁶ Koldinska states that in the Czech Republic the system of support for families with children is generous but focuses too much on cash benefits, but there is a lack of publicly subsidised services for families, meaning *"that mothers interrupt their careers for quite a long time, compared to mothers in other countries such as Belgium, France or Nordic countries"*.³⁷ Further research shall be devoted to evaluating this phenomenon, exploring ways to close this gap, and also funds shall be allocated (both state funds, cohesion policy instruments) to inquire potential ways of changing this negative correlation. Additionally, Europe faces one of the worst expectations in respect of ageing and declining in its population taking into account especially the old-age dependency ratio that increases from 33% to 60% by 2100.³⁸ The general perception is that *"Increasing women's labour participation could be one of the most effective remedies to the negative consequences of population ageing"*.³⁹

III. THE ROLE OF DEMOGRAPHY AND REGIONAL DIMENSION

We must recall that demographic trends in Europe – population decline rather than growth in terms of natural increase is essentially an unresolved crisis⁴⁰ – might result in an unprecedented increase in competition for a well-educated and healthy workforce in the coming decades. Meanwhile, *"the EU's share in the world's population will continue to fall (from 6% today to below 4% in 2070),⁴¹ potentially scaling down the relative weight of the Single Market in the global economy and diminishing the EU's geopolitical clout"*,⁴²

³⁵ LIPÁK, K., MAITSCSÁKNÉ, L. M. A kisgyermekes nők foglalkoztatási helyzete és lehetőségeik. [Employment situation and opportunities of women with young children]. *Vezetéstudomány – Budapest Management Review*. 2018, Vol. 49, p. 45.

³⁶ SUZUKI, T. Fertility Decline and Policy Development in Japan. *The Japanese Journal of Population*. 2006, Vol. 4, p. 8. "Many Japanese women have the ability and opportunity to work but they have to give up their career on childbearing". In: *The Japanese Journal of Population* [online]. [2025-05-08]. Available at: <https://www.ipss.go.jp/webj-ad/webjournal.files/population/2006_3/suzuki.pdf>.

³⁷ KOLDINSKÁ, K., TOMŠEJ, J. Overcoming the Persisting Scepticism with Equality – Equal Treatment in Employment The Czech Perspective. In: Jo Carby-Hall – Zbigniew Goral – Aneta Tyc (eds.). *International Workplace Discrimination Law*. London: Routledge, 2023, p. 165.

³⁸ EUROPEAN COMMISSION, Employment and Social Developments in Europe Annual Review, SWD, 2023, p. 248 final.

³⁹ Ibid., p. 7. that refers to EUROPEAN COMMISSION *Demographic Scenarios for the EU: Migration, population and education*. Luxembourg: Publications Office of the European Union, 2019.

⁴⁰ EUROPEAN COMMISSION, Communication on Demographic change in Europe: a toolbox for action COM, 2023, p. 577 final Brussels, 11. 10. 2023 (hereinafter: Toolbox): "... demographic change has a direct impact on the EU's human capital and its competitiveness. Population ageing and a shrinking working-age population are expected to exacerbate labour shortages and increase pressure on public budgets.", p. 1.

⁴¹ EUROPEAN COMMISSION, Report on the impact of demographic change, COM, 2020, p. 241 final. The impact of demographic change – in a changing environment, SWD, 2023, p. 21 final.

⁴² Toolbox, p. 2.

so we face a decline in our global economic importance rather than any real meaningful growth. “Demographic change – if left unaddressed – may further exacerbate labour shortages, creating bottlenecks in the economy.”⁴³

Demographic challenges will increase the global demand for skilled and experienced workforce, which could become an increasingly important element in the competition for resources between developed countries such as the US, Canada, Japan and new players such as India and China on one side and the EU on the other side. It is important to keep the workforce within the borders of the EU and reap the benefits granted by market integration and free movement of workers.⁴⁴ In the future, in the light of unfavourable demographic trends, the strength of social security (highest level safety net of protection through social security measures, and coordination rules between different national systems) for mobile workers could become an essential competitiveness issue. Aside from immediate financial compensation such as worker salaries, which has historically been the primary consideration influencing people’s mobility decisions, future prospects may increasingly be shaped by the broader coordination rules of social security systems. The opportunities offered by countries seeking to attract a skilled mobile workforce, particularly in terms of social security protection, are becoming increasingly important factors for consideration, impacting both medium- and long-term prospects.⁴⁵

Enrico Letta, ex-prime minister of Italy has gone even further in his recent report on the Internal Market.⁴⁶ The report signals a shift in approaching free movement as a phenomenon by acknowledging that it is not an opportunity for everyone, people living in less developed regions face significant real-life barriers to mobility such as age, lack of skills, intergenerational solidarity obligations, house ownership or emotional attachment and the effects of “brain drain”.⁴⁷ Mobility always comes at a cost.⁴⁸ More should be done to help all territories and citizens wherever they live, that is why “the next European Commission should appoint a Vice President within the upcoming College who is responsible for the ‘freedom to stay’”.⁴⁹

⁴³ Ibid.

⁴⁴ GELLÉRNÉ LUKÁCS, É. From Equal Treatment to Positive Actions Through Non-discriminative Obstacles – Regarding the Free Movement of Persons. *ELTE Law Journal*. 2018, Vol. 2, pp. 101–125.

⁴⁵ HAJDÚ, J. Social Security and the Modern and Post-Modern Forms of Work. In: Jan Pichrt – Kristina Koldinská (eds.). *Labour Law and Social Protection in a Globalized World: Changing Realities in Selected Areas of Law and Policy*. Alphen Aan Den Rijn: Kluwer Law International, 2018, pp. 191–204.

⁴⁶ LETTA, E. Much more than a market, Speed, Security, Solidarity, Empowering the Single Market to deliver a sustainable future and prosperity for all EU Citizen, 2024. In: *consilium.europa.eu* [online]. [2025-05-08]. Available at: <<https://www.consilium.europa.eu/media/ny3j24sm/much-more-than-a-market-report-by-enrico-letta.pdf>>.

⁴⁷ LETTA, E. *Much more than a market, Speed, Security, Solidarity, Empowering the Single Market to deliver a sustainable future and prosperity for all EU Citizen*. p. 92.

⁴⁸ MIŠIČ, L., STRBAN, G. Social Security and Free Movement: Why EU Mobility Will Always Come at a Price. In: Yves Jorens (ed.). *The Lighthouse Function of Social Law*. New York: Springer, 2023, pp. 421–447.

⁴⁹ LETTA, E. *Much more than a market, Speed, Security, Solidarity, Empowering the Single Market to deliver a sustainable future and prosperity for all EU Citizen*. pp. 93–94.

The regional dimension is crucial for CEE countries. Pursuant to Article 174 TFEU⁵⁰ the EU shall introduce measures which reduce the disparities between regions, especially regions which suffer from severe and permanent natural or demographic handicaps. Cohesion Policy has helped CEE countries to make the most of their EU membership: countries who joined in 2004 have experienced their GDP per capita rise from 52 % of the EU average in 2004, to nearly 80 % in 2023.⁵¹ The wise spending of Cohesion policy funds remains a corridor for CEE countries to develop, which is all the more important hence today one third of the EU's population is living in regions where the GDP per capita has grown less than 0.5% per year since the turn of the century.⁵² Stimulation of local labour markets can withdraw young people to migrate to other places, as Polish experiences confirm.⁵³ Also there can be positive or negative spatial spillover effects meaning that connections between municipalities can have an impact on fertility.⁵⁴

IV. LESSONS FROM TOTAL FERTILITY RATE (TFR)

The second demographic transition⁵⁵ defines population trends in the developed world from the 1950s to the 1960s in the light of the weakening of normative constraints: access to contraceptives fundamentally changed sexual relationships and broke the link between marriage and childbearing, placing relationship instability at the centre of population issues. This change has delayed marriage - or even sidestepped it altogether - and the prolongation of childbearing, increasing childlessness, cohabitation outside marriage and ultimately instability among couples.⁵⁶

The second demographic transition affected European countries differently. In Northern Europe fertility was generally high and low in Southern Europe, and this north-south divide is visible for decades.⁵⁷ High fertility in the north was explained by wide range of childcare offer, much more developed mechanisms to promote the work of

⁵⁰ Article 174 TFEU "[...] In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions. Among the regions concerned, particular attention shall be paid to rural areas, areas affected by industrial transition, and such as the northernmost regions with very low population density and island, cross-border and mountain regions."

⁵¹ EUROPEAN COMMISSION *Ninth report on economic, social and territorial cohesion*.

⁵² LETTA, E. *Much more than a market, Speed, Security, Solidarity, Empowering the Single Market to deliver a sustainable future and prosperity for all EU Citizen*. p. 94.

⁵³ CHŁOŃ-DOMIŃCZAK, A. Director of the Institute of Statistics and Demography at SGH Warsaw School of Economics, Poland, Population Europe online conference, High-level expert panel "Population diversity and the provision of public services: The challenge of territorial cohesion", Why Demography Matters. Population and Policy in the 21st Century, 3 May 2024. In: *Population Europe* [online]. [2025-05-08]. Available at: <<https://population-europe.eu/events/why-demography-matters-population-and-policy-21st-century>>.

⁵⁴ CAMPISI, N., KULU, H., MIKOLAI, J., KLÜSENER, S., MYRSKYLÄ, M. A spatial perspective on the unexpected Nordic fertility decline: the relevance of economic and social contexts. *Applied Spatial Analysis and Policy*. 2023, Vol. 16, p. 20.

⁵⁵ VAN DE KAA, J. Europe's second demographic transition. *Population Bulletin*. 1987, Vol. 42, pp. 1-59.

⁵⁶ PÁRI, A., RÓVID, I., FÜRÉSZ, T. Population of Europe - from a Hungarian perspective. *Demographic issues and legal challenges*. 2024, Central-European Academic Publishing (under publication).

⁵⁷ PISON, G. France has the highest fertility in Europe. *Population & Societies*. 2020, Vol. 575, p. 1.

women. The Northern example suggested that in the countries where women work the most, they have the most children.⁵⁸

In CEE countries the enduring impact of state socialism manifested in elevated rates of female employment, widespread availability of childcare services and substantial state backing for motherhood and family life.⁵⁹ Fertility was not as high as the high rate of female employment would have suggested. This was attributed in literature mainly to the pressure resulting from the dual-earner model. Regarding Poland, *Siemienska* states that “*Conflicting with the traditional family model, the man was unable to make enough money to meet the family's needs. Yet the woman, by working and thus helping the family's financial situation, was unable to satisfy the demands traditionally expected from her in the home*”.⁶⁰

However, the real decrease in fertility occurred in CEE countries after the political change in 1989.⁶¹ As the political transition commenced and the economic situation got worse, the state's involvement in social policy waned, which resulted in a noticeable reduction in defamiliarist measures, especially concerning state-provided childcare services⁶² and paid parental leave.⁶³ Fertility rates became even lower, and in the first decade of the 21st century, Europe polarised along fertility rates: Northern and Western countries (especially France) moved upwards towards a fertility rate of 1.9, while Central, Southern and Eastern European countries moved downwards towards a fertility rate of around 1.3.⁶⁴ In Hungary, the total fertility rate reached its historic low in 2011 at 1.23 (after which there was an increase until 2021, when the value of the indicator was 1.59).⁶⁵

In the second decade of the 21st century CEE countries have started intensifying their efforts to promote family life and having children, with a focus on holistic family policies. The number of births has started to slowly increase in CEE countries (see also Table 3.). At the same time fertility in Northern Europe started to decline, especially in Norway, Finland and Denmark.⁶⁶ The reasons behind these trends are still to be researched further but some initial considerations might be undertaken.

⁵⁸ SOBOTKA, T., MATYSIAK, A., BRZOZOWSKA, Z. Policy responses to low fertility: How effective are they? *UNF-PA Working Paper*. 2019, No. 1.

⁵⁹ DOROTA, S., POLAKOWSKI, P. M. Who cares? Changing patterns of childcare in Central and Eastern Europe. *Journal of European Social Policy*. 2008, Vol. 18, pp. 115–131.

⁶⁰ SIEMIENSKA, R. Continuity or Change? The Woman's Role in Polish Public Life since the Fall of the Communist Regime. *Social Politics: International Studies in Gender, State & Society*. 1994, Vol. 3, p. 328.

⁶¹ EUROSTAT fertility statistics. In: *EUROSTAT* [online]. [2025-05-08]. Available at: <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Fertility_statistics>.

⁶² DOROTA, S., POLAKOWSKI, P. M. Who cares? *Changing patterns of childcare in Central and Eastern Europe*. p. 6.

⁶³ Conventional perspectives frequently classify family policies as either familistic or maternalistic, especially those that prioritize parental care for young children: PIOTR, M. Waiting for the incentives to work: comparative analysis of the parental leave policies in the Visegrád countries. *Community, Work & Family*. 2015, Vol. 18, pp. 1–16.

⁶⁴ PÁRI, A., RÖVID, I., FÜRÉSZ, T. Population of Europe – from a Hungarian perspective. *KAPOCS*. 2023, Vol. 4, p. 6.

⁶⁵ HUNGARIAN CENTRAL STATISTICAL OFFICE [Online] available at: Table 22.1.1.6 STADAT: Live births and total fertility rate. In: *ksh.hu* [online]. [2025-05-08]. Available at: <https://www.ksh.hu/stadat_files/nep/hu/nep0006.html>.

⁶⁶ CAMPISI, N., KULU, H., MIKOLAI, J., KLÜSENER, S., MYRSKYLÄ, M. A spatial perspective on the unexpected Nordic fertility decline: the relevance of economic and social contexts. p. 16.

The main reasons for low fertility in general are the impact of economic and labour market uncertainty, conflicts between employment and family life, domestic gender inequalities,⁶⁷ intensive parenting requirements, housing costs, the mismatch between rapid family changes and societal expectations about marriage and parenthood as well as the impact of societal upheavals.⁶⁸ Young adults' economic prospects have a considerable impact on family formation. Research shows that in highly developed countries (including Europe) the earnings and income of people in their 20s and early 30s stagnated or fell compared to previous generations, with the largest falls reported in Southern Europe (Greece, Italy and Spain).⁶⁹ Furthermore, ongoing globalization and technological advancements contribute to a decrease in demand for middle-skilled labour, which in turn exerts downward pressure on wages and compels workers to accept precarious employment arrangements, such as low-paying and fragmented contracts (fixed-term, part-time, on-call etc.). Consequently, the ability of low- and middle-skilled individuals to establish families may be significantly impacted by the evolving dynamics of labour markets and the rising instability in employment.

In this regard the relationship between educational attainment and both fertility and fertility intentions of women shall be mentioned. In the latter decades of the 20th century – when women started to (re)enter the labour force in greater number – fertility has started to drop and soon fertility was lowest among the most educated women.⁷⁰ Adsera however has argued that “*there has been a gradual convergence in fertility rates among educational groups and a flattening of the existing negative educational-fertility gradient*” in some developed countries as the share of educated women has grown in population.⁷¹ Recent data confirm the weakening of the negative relationship in CEE countries. Table 3. shows the live births by mother's age and educational attainment level in selected CEE countries.

⁶⁷ KOLDINSKÁ, K., TOMŠEJ, J. *Overcoming the Persisting Scepticism with Equality – Equal Treatment in Employment The Czech Perspective.*; DOLOBÁČ, M. Discrimination in Employment in the Slovak Republic In: Jo Carby-Hall - Zbigniew Goral - Aneta Tyc (eds.). *International Workplace Discrimination Law*. pp. 179–198.

⁶⁸ SOBOTKA, T., MATYSIAK, A., BRZOZOWSKA, Z. *Policy responses to low fertility: How effective are they?* p. 15.

⁶⁹ *Ibid.*, p. 16.

⁷⁰ ADSERA, A. Education and fertility in the context of rising inequality. *Vienna Yearbook of Population Research*. 2017, Vol. 15, pp. 63–92.

⁷¹ *Ibid.*, p. 64.

Table 3. live births by mother's age and educational attainment level in selected CEE countries (2013–2022)

Dataset:	Live births by mother's age and educational attainment level [demo_faeduc__custom_11318487]										
Data extracted on 12/05/2024 11:54:43 from [ESTAT]											
Upper secondary and post-secondary non-tertiary education (levels 3 and 4)											
Tertiary education (levels 5-8)											
	TIME	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Total	Czechia	106 751	109 860	110 764	112 663	114 405	114 036	112 231	110 200	111 793	101 299
Level 3-4	Czechia	59 622	58 216	53 049	50 282	49 995	48 006	47 043	44 626	44 554	40 799
Level 5-8	Czechia	29 760	31 873	34 682	35 680	37 951	40 506	40 651	40 965	41 901	37 754
Total	Hungary	89 524	93 281	92 135	95 361	94 646	93 467	93 100	93 807	94 003	89 669
Level 3-4	Hungary	38 581	40 112	41 169	41 133	40 302	39 246	38 969	39 808	40 064	38 168
Level 5-8	Hungary	29 329	30 099	30 416	30 572	30 096	29 693	29 803	30 509	31 117	28 768
Total	Poland	369 576	375 160	369 308	382 257	401 982	388 178	374 954	355 309	331 511	305 132
Level 3-4	Poland	165 936	162 336	155 457	158 282	169 589	162 578	153 073	140 520	126 402	116 379
Level 5-8	Poland	175 169	185 442	188 461	199 042	207 915	199 709	193 092	174 315	165 436	147 215
Total	Slovakia	54 823	55 033	55 602	57 557	57 969	57 639	57 054	56 650	56 565	52 668
Level 3-4	Slovakia	25 973	24 966	24 415	24 571	24 084	23 493	22 215	22 045	21 638	19 879
Level 5-8	Slovakia	18 788	19 755	21 036	22 521	23 468	24 139	24 622	24 472	24 787	22 857
Total	Slovenia	21 111	na	na	20 345	20 241	19 585	19 328	18 767	18 984	17 627
Level 3-4	Slovenia	9 336	na	na	8 081	8 099	7 890	7 625	7 443	na	6 903
Level 5-8	Slovenia	10 061	na	na	10 703	10 657	10 307	10 240	9 918	na	9 349

Source: EUROSTAT, extracted and composed by the authors (12.05.2024).

Table 3. illustrates that the trend in births has mirrored a similar pattern in CEE countries between 2013-2022: initially increasing and even reaching decade highs in 2017, followed by a subsequent decline, generally returning to levels akin to those observed in 2013. Nonetheless, except for Poland, which experienced a notable general decline in fertility, the number of children born by mothers with tertiary education in 2022 in CEE countries increased in absolute terms in the Czech Republic and Slovakia and stagnated in Hungary. In Poland and Slovenia the decrease was the lowest in this group. Consequently, the proportion of live births by mothers with tertiary education rose in both absolute and relative numbers compared to the overall declining birth rate. The number of children born by mothers with primary or lower secondary education fell everywhere between 2013-2022. Interestingly, this is the pattern Northern European countries (Sweden, Denmark and Norway, but not Finland) and also Greece and Portugal follow. Albeit data is scarce from Spain and Italy, the available data suggests that trends are the opposite there. There is no data available from France and Germany.

CONCLUSION

As explained in the above sections, the rights offered by the new DWLB are timid steps in the right direction: they represent minimum standards which often do not go far enough

to make significant improvements in work-life balance.⁷² Member States enjoy a wide margin of appreciation to go beyond them. Regarding parental leave, in some areas (for example regarding the adequacy of the level of benefits awarded during parental leave or the existence of absolute rights for workers in case of flexible working arrangements) CEE countries perform well in terms of the DWLB. The period during which parental leave can be taken is 3 years in CZ, HU, RO and SK and only Poland grants a longer period (6 years). In the Czech Republic, Hungary, and Slovakia, it is possible to work full-time while on parental leave and still receive the full parental allowance. Given the relatively low employment rate of young women and the significant wage gap for mothers, extending the duration of parental leave and allowing the option to work while receiving the benefit could help families plan for a longer-term future.

The low employment rate among young women, the significant wage gap for mothers, along with declining population and birth rates, threaten the availability of an adequate workforce in Europe in the long term. This labor shortage will increase competition for workers, and CEE countries must better prepare for these challenges. A positive trend is that women with higher education are having more children, showing that investments in education are yielding benefits in the labor market as well. Member states are responsible for shaping employment policies, including flexible working arrangements, which are crucial for young women, men, and mothers to achieve economic independence while having children without fear of financial instability. Strengthening pronatalist (partially defamiliarist) policies and improving communication may encourage people to have children, reducing instances of unintentional childlessness.

The concept of “freedom to stay,” recently introduced by Enrico Letta in the Internal Market report, focuses on supporting people to prosper in their home countries, may help CEE nations align their interests. Cohesion policies and resources in CEE countries must be used to maintain demographic balance and create conditions that counter brain drain while attracting knowledge-based work opportunities. CEE countries should promote the exchange of best practices and scientific collaboration, including academic cooperation. The “freedom to stay” concept and strengthening the regional dimension are essential strategies for CEE countries.

⁷² D'ANDREA, Sabrina *Implementing the work-life balance directive in times of COVID-19: new prospects for post-pandemic workplaces in the European Union?* p. 15.